

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Establishment – C.A.F. & C.S. Department – AP State Civil Supplies Corporation Ltd. –
Sri P.Narayana Reddy working as Typist on Daily Wages in the Corporation –
Regularization of services – Orders – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (CS.I) DEPARTMENT

G.O.Rt.No. 132

Dated: 31-12-2009

Read the following:-

- 1) Representation of Sri P.Narayana Reddy, Typist (daily wages), Dated 11-10-2008.
- 2) From the V.C. & M.D., A.P.S.C.S.C. Ltd., Hyderabad, Lr. No. P.Admn/A3/18146/2003, dt: 14-5-2008 received on 10-11-2008 and Letter dt: 7-12-2009.

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ORDER:-

In the references 2nd read above, the Vice-Chairman & Managing Director, A.P. State Civil Supplies Corporation Limited, Hyderabad has reported that Sri P.Narayana Reddy was temporarily appointed as Typist on Daily Wage basis for a period of two months w.e.f. 1-5-1984 and he was continued on Daily Wages till 30-9-1985. He was terminated orally from October, 1985 onwards. Aggrieved by this, Sri P.Narayana Reddy has filed a petition bearing ID No.147/87 before the Labour Court against his termination of services. The Labour Court, Ananthapur passed an award on 8-12-1989 stating that the petitioner is not entitled for any relief. Aggrieved again by this he filed W.P.No.8044 of 1990 in High Court to reinstate him to duty and to set aside the award of Labour Court. The Hon'ble High Court passed orders on 6-9-1993 setting aside the award of Labour Court and directing Labour Court to afford an opportunity to the petitioner and dispose of the case afresh within two months. Accordingly, the Labour Court passed an award on 23-2-1994 setting aside the oral termination order and directing the Corporation to reinstate him into service as Typist with continuity of service and back wages from 10-7-1987 up to the date of reinstatement. Again the Corporation filed W.P.No.10655/94 and the Hon'ble High Court passed interim orders in W.P.M.P. No.12930/94 on 16-6-1994 suspending the award of Labour Court, Ananthapur, as far as reinstatement is concerned. Sri P.Narayana Reddy then filed a W.V.M.P.No.2119/94 and the High Court passed orders on 20-9-1994 making the interim stay absolute on condition that the Corporation pays allowances in addition to the basic wages from month to month in compliance with Sec.17-B of ID Act. Again, the Corporation filed W.P.M.P.No.18858/1994 in W.P.No.10655/94 and the High Court passed orders on 20-9-1994 staying the award of the Labour Court, Ananthapur subject to the condition that the Corporation pays the back wages for a period of one year to Sri P.Narayana Reddy. Subsequently, Corporation filed Writ Appeal No.476 of 1995 against the orders passed in W.V.M.P. 2119/94 in W.P.M.P. No.12930/94 in W.P.No.10655/94 and the W.A. was dismissed on 4-7-1995. The Corporation also filed Writ Appeal No.698/1995 against the order dated 20-9-1994 in W.P.M.P. No.18858 of 1994 in W.P.No.1055/94. This was also dismissed on 5-7-1995. Again the Corporation filed W.P.M.P.No.30826 of 1995 against the orders in Writ Appeal No.476/1995 and the W.P.M.P. was dismissed on 14-11-1995.

2. Sri P.Narayana Reddy, Typist (daily wages) also filed W.P.M.P. No.13905/96 in W.P.No.10655/94 to direct the Corporation to pay wages of Rs.2677/- as is being paid to his regularized juniors. The High Court passed orders on 9-8-1996 directing the Corporation to pay wages on par with employees who are similarly placed and it would be at Rs.2677/-. The Corporation filed Writ Appeal No.1062 of 1996 against the orders in W.P.M.P.No.13905/96 in W.P.No.10655/94, dated 9-8-1996 and the High Court dismissed the said Writ Appeal on 19-9-1996. The Corporation also filed W.P.M.P.M.

No.30227 of 1996 in W.P.No.10655/1994 and the High Court passed orders on 22-11-1996 that the interim order earlier granted by High Court should be complied with.

3. Sri P.Narayana Reddy, Typist (daily wages) filed Contempt Case No.1525/1996 for not implementing the High Court orders on payment of wages. The Corporation paid wages amount on 6-1-1997. The Contempt Case was closed on 22-1-1997. Finally, the Hon'ble High Court delivered final judgment on 4-10-2001 in W.P.No.10655 of 1994, which reads as follows:-

“The workman worked for more than 240 days continuously and the Management deposed that after termination of service of the petitioner, one Sri J.Sudhakar was taken into service temporarily on daily wages and the said person was continued. In view of the same, the termination orders passed by the Management without following the mandatory provisions u/s. 25-F of ID Act was set aside and the Corporation is directed to reinstate the workman into service. The Writ Petition is accordingly dismissed”.

4. Accordingly, Sri P.Narayana Reddy was reinstated into service on 11-3-2002 as Typist on Daily wages w.e.f. 10-7-1987. From then onwards the individual is representing to regularize his services w.e.f. 10-7-1987 as per G.O.Ms. No.448, F & A (CS.III) Dept., dated 16-6-1989.

5. Sri P.Narayana Reddy joined as a Typist on daily wages on 01-05-1984. The oral termination order on 30-9-1985 of EODM, APSECCL, Kadapa was set aside and he was allowed continuity of service. It is further stated that the Government in G.O.Ms.No.448, F&A (CS.III) Dept., dated 16-6-1989, regularized the services of daily wage employees appointed after 30-6-1982, subject to condition that in case where the employees do not fulfill the qualification prescribed, they shall acquire the qualification within 2 years from the date of issue of these orders ad in case they fail to acquire the qualification, they shall not be eligible for future promotions. The name of Sri P.Narayana Reddy, Daily Wage Typist was not included in the list submitted to Government as his services were dispensed with then and the case was pending in various courts from 1986 to 2001. As per A.P.S.C.S.C. Ltd. Employees Recruitment and Service Regulations, qualification for the post of Typist is Graduation with Typewriting Higher Grade. Sri P.Narayana Reddy has passed SSC and is having Typewriting Lower and Shorthand Lower Grade.

6. The Vice-Chairman & Managing Director, A.P.S.C.S.C. Ltd., Hyderabad has also reported that the case of the above individual is different from that of other Daily Wage Cases as the individual obtained Court Orders in his favour and got reinstated to duty w.e.f. 10-07-1987 and requested the Government to examine the matter and to issue necessary suitable orders on the request of Sri P.Narayana Reddy for regularization of services as Typist w.e.f. 10-07-1987.

7. Government have examined the proposal and after careful consideration hereby direct to regularize the services of Sri P.Narayana Reddy, Typist (on daily wages in the office of the VC & MD, APSCSCL, Hyderabad) w.e.f. 10-07-1987 subject to fulfilling the conditions stipulated in the G.O.Ms.No.448, Food & Agriculture (CS.III) Dept., dated 16-6-1989.

8. The Vice-Chairman and Managing Director, A.P.S.C.S.C.Ltd., Hyderabad shall take further action in the matter duly observing the conditions laid down in the G.O.Ms.No.448, F&A (CS.III) Dept., dt: 16-6-1989.

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9. This order issues with the concurrence of the Finance (PC.III) Dept., vide their U.O.No.5303/91/A1/PC.III/09, dated 26-2-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SANJAY JAJU
EX-OFFICIO SECRETARY TO GOVERNMENT

To
The Vice-Chairman & Managing Director,
A.P. State Civil Supplies Corporation Limited., Hyderabad.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER